

Regular Session, 2010

ACT No. 459

HOUSE BILL NO. 67

BY REPRESENTATIVE LOPINTO

1 AN ACT

2 To amend and reenact R.S. 40:1236.14 and to enact R.S. 9:2793(C), relative to limitations
3 of liability; to provide a limitation of liability for the use of automated external
4 defibrillators at the scene of an emergency; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2793(C) is hereby enacted to read as follows:

7 §2793. Gratuitous service at scene of emergency; limitation on liability

8 * * *

9 C. For purposes of this Section, rendering emergency care, first aid, or
10 rescue shall include the use of an automated external defibrillator as defined by R.S.
11 40:1236.12.

12 Section 2. R.S. 40:1236.14 is hereby amended and reenacted to read as follows:

13 §1236.14. Limitation of liability

14 In addition to the civil immunity provided to persons rendering emergency
15 assistance as provided by law, including R.S. 9:2793, R.S. 37:1731, 1732, and 1735,
16 and R.S. 40:1231.2, any prescribing advanced practice registered nurse or physician
17 who authorizes the purchase of the AED, any physician or advanced practice
18 registered nurse involved in the possessor's program, any individual or entity which
19 provides training in cardiopulmonary resuscitation and in the use of an AED, any
20 purchaser of an AED, any person or entity who owns or who is responsible for the
21 site or the private security patrol vehicle where an AED is located, and any expected
22 user regularly on the premises or in the vehicle shall not be liable for any civil

1 damages arising from any act or omission of acts related to the operation of or failure
2 to operate an AED that do not amount to willful or wanton misconduct or gross
3 negligence.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____